IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE BILAL NAZKI**

**and**
**THE HON'BLE MR JUSTICE P.S.NARAYANA**

**WRIT PETITION NO : 6902 of 1994**

Between:

Rapole Chandrakanth, H.No. 5-129, Sahebnagar Khurd (v), L.B.Nagar Municipality, Ranga Reddy District.

..... PETITIONER

AND

The Commissioner, L.B.Bagar Municipality, L.B.Nagar, R.R.Dist.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature or Writ of Mandamus, declaring that the action of the respondent (i) in assessing the petitioner's House No. 5-129 Sahebnagar Khurd Village, to property tax without any notice to the petitioner or without giving any opportunity of hearing; (ii) in demanding arrears of property tax at the half-yearly rate of Rs. 162/- for a period beyond three years; (iii) in unilaterally and without considering the objection petition dated 07/08/1993 of the petitioner and enhancing the half-yearly rate of property tax from Rs.162/- to 284/- from 01/10/1993 and issuing a fresh Demand Notice dated 24/01/1994; (iv)in initiating parallel proceedings against the tenant of the arrears of property tax by issuing Demand Notice dated 10/02/1994, and (v) in receiving the petitioner's further objection petition dated 27/02/1994 together with a cheque for Rs. 1,296/- and simultaneously and coercively collecting Rs. 1,620/- from the tenant Sri Amar Singh and adjusting the said amount towards arrears of house tax for the period 1985-86 till 31/03/1990, vide Receipt No. 67525 dated 01/03/1994, as illegal, arbitrary, without jurisdiction, violative of the principles of natural justice and opposed to the provisions of the A.P.Municipalities Act and the Rules made there

under.

Counsel for the Petitioner:MR.A.ANANDA RAO –Not appeared

Counsel for the Respondent No.: GP FOR MUNCIPAL ADMN. & URBAN DEV. – Not appeared

**The Court made the following O R D E R** (Per the Hon'ble Sri Justice Bilal Nazki):

Nobody appeared when the case was called. Hence, the writ petition is dismissed for non-appearance and non-prosecution. No order as to costs.

_____

(Bilal Nazki, J)

26th August, 2004.

_____

(P.S.Narayana,J)

vrn

To

1 The Commissioner, L.B.Bagar Municipality, L.B.Nagar,
Ranga Reddy Dist.

2 Two C.Cs to the Government Pleader for Municipal Administration and Urban Development, High Court Buildings, A.P., Hyderabad (OUT)

3 Two C.D copies